

**REMARKS**

On August 5, 2004, the undersigned discussed the present case with Examiner Karmis and Examiner Kazimi. The Examiners' courtesy during the telephone conference was much appreciated. During the telephone conference, the June 3, 2004, Office Action, and the U.S. Patent No. 6,681,211 (Gatto) were discussed. The undersigned and the Examiners discussed the amendments shown above, and the undersigned agreed to submit such an amendment for the pending claims. The present amendment is submitted without prejudice to the filing of a continuation case to pursue additional claims.

During the conversation, it was agreed that the present amendment would serve to more clearly distinguish claims 1 and 14 over the references of record. Further, the undersigned also discussed the distinctions between claim 38 and the Gatto reference as is set forth in detail below.

As amended, claim 1 clearly recites a method where the watch list information is maintained in the personal organizer device. Further, the claim provides that the items being tracked can include one or more category tags. Specifically, at least one of the items has at least two category tags and is displayed in two different sublists according to its different category tags. It is respectfully submitted that, as discussed in more detail below, this is distinctly different than the system of Gatto.

As amended claim 14 recites a system where a data list is maintained in a personal organizer device. Further, the personal organizer device stores classification tags for items in the data list. The personal organizer device communicates with a central communications center to obtain information for the items being tracked in the data list. The system also provides that for at least a first item being tracked a first classification tag and a second classification tag are provided, and that the first item is displayed in a first sublist which is associated with the first classification tag, and the first item is displayed in a second sublist which is associated with the second classification tag.

Claim 38 has not been amended, but as previously presented, claim 38 included a number of elements which are believed to clearly distinguish the recited method over the Gatto reference. The method of claim 38 requires maintaining a data list in a hand held computing device. Information for the securities being tracked in the data list is transmitted wirelessly to the hand held device. For at least one of the securities being tracked in the data list, in the handheld

device, the method provides for at least two category tags, such a security is then displayed in at least two different sub lists of securities based on the at least two different category tags.

The above elements of the claims, provide for a system or method where the data list is maintained in a personal organizer or hand held deice. The items in the data list can be broken into different sublists by using category tags which are part of the data lists which area maintained in the personal organizer device. This type of operation is very different than the system of Gatto, where it appears that different lists are maintained at a central server level. (See for example, Gatto Fig. 1, and Gatto col. 10: line 19-36.) The operation of the system and method recited in the claims herein, is well suited for an environment where the personal organizer device has limited communication bandwidth and memory, whereas the Gatto references appears to provide for a very different operation where each list is separately generated by, and transmitted from a central server.

In light of the above, it is respectfully submitted that claims 1 and 14 are, as agreed during the telephone conference, very different than the system and method Gatto. Further, it is respectfully submitted that the above discussion shows that claim 38 is very different than the system and method described in Gatto. Thus, it is respectfully submitted that all of the claims now pending in this case are in condition for allowance.

### CONCLUSION

For the reasons set forth above, it is believed that all claims present in this application are patentably distinguished over the references. Therefore, reconsideration is requested, and it is requested that this application be passed to allowance.

Respectfully submitted,

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